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OFFICE OF PETITIONS

In re Application of :
Hufford, et al. :
Application No. 10/709,645 : **ON PETITION**
Filed: May 19, 2004 :
Attorney Docket No. N/A :
For: CLEAR LUCITE CUTTING TOOL :

This is a decision on the petition, filed November 9, 2005, under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **dismissed** and the merits of the petition will not be addressed because the petition is not signed by a proper party. No additional petition fee will be due when petitioners file a reconsideration petition.

37 CFR 1.33(b) states that any amendments and other papers filed in an application must be signed by (1) an appointed registered attorney or agent; (2) a registered attorney or agent not appointed, but acting in a representative capacity, (3) an assignee under 3.71(b); or (4) all of the named inventors.

The petition is signed by Kyle N. Hufford. Kyle N. Hufford has not provided an attorney registration number and a review of Office records does not reveal that a person named Kyle N. Hufford has been assigned a registration number. Kyle N. Hufford has not shown that he is an authorized representative of an assignee who has right to take action.

In short, Kyle N. Hufford has not established that he is permitted to file amendments and other papers in this application on his own. It is noted that he is one of three joint inventors.

In any reconsideration petition, applicants are encouraged to file a reconsideration petition selecting **one** of the following courses of action: Either (a) submit Kyle N. Hufford's registration number; (b) submit an appropriate 3.73(b) statement on behalf of the assignee (if there is one) establishing ownership of the invention signed by a person authorized to act on behalf of the assignee (the person authorized to act on behalf of the assignee should be Kyle N. Hufford and in this manner, the signature on instant petition will be ratified); or (c) submit another copy of the petition signed by all three inventors.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By FAX: (571) 273-8300 – ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions